



MANAGEMENT INFORMATION EXCHANGE

AN EXCHANGE OF INFORMATION FOR LEGAL SERVICES

37 Temple Place, Suite 303 • Boston, MA 02111-1308 • Tel 617-556-0288 • Fax 617-507-7729 • ppap@m-i-e.org • www.m-i-e.org

June 20, 2005

Victor M. Fortuno
Vice President for General Counsel
Legal Services Corporation
3333 K. St., NW
Washington, DC 20007

Re: Comments on Development of Regulatory Agenda for 2005-2006

Dear Mr. Fortuno:

Thank you for the opportunity to comment on the possible modification of existing Legal Services corporation regulations during 2005-2006. Management Information Exchange (MIE) would like to submit these comments on behalf of members of its Board of Directors and the LSC-funded programs which subscribe to its services. MIE is a nonprofit organization which provides training, consulting and publishing services to legal aid programs on leadership, management, supervision and fundraising matters.

MIE urges LSC to amend Part 1610 to conform to the Dobbins decision, that is, to make the terms of the decision applicable to all LSC recipients. At the same time, we note that it would be useful for LSC to review its interpretations of Part 1610, so that it may be applied consistently with Dobbins and the constitutional holdings of other cases. For example, with respect to the LSC's imposition of requirements of separate executive directors and separate corporations, LSC should not interpret Part 1610 in a way which makes compliance with it more costly or which leads to the less efficient delivery of service to clients. In addition, based on our understanding of management literature, a strong CEO is essential to the functioning of any organization. LSC's interpretation of this regulation should not prevent LSC programs from having a CEO who can act as a leader and report to the board on the full range of matters of the organization. MIE's recent publication, Principles of Leadership in the Legal Aid Community, identifies the many ways that leadership by the CEO is important to legal aid programs.

MIE also urges LSC to amend Part 1626.8 to permit low income Micronesians, who are freely and lawfully in the US, and in need of legal assistance, to receive that assistance from legal aid programs where they reside.

At the same time, MIE would urge LSC not to undertake a general review of regulations. LSC programs know the regulations and have adapted to them, and new uncertainties about

compliance issues would only detract from client services while yielding little benefit for clients.

MIE appreciates the opportunity to share these comments. Thank you.

Sincerely,

**Mary Asbury, Chair
MIE Board of Directors**

**Patricia Pap, Executive Director
MIE**

cc: MIE Board of Directors

**Pat McIntyre, Executive Director, Northwest Justice Project
Judy Garlow, Director, Legal Services Trust Fund Program, State Bar of California
Jacquelynnne Bowman, Deputy Director, Greater Boston Legal Services
Dennis Bricking, Legal Aid Society, Louisville
Victor Geminiani, Executive Director, Legal Aid Society of Hawaii
Bruce Iwasaki, Executive Director, Legal Aid Foundation of Los Angeles
Jan May, Director, AARP Legal Counsel for the Elderly
Rita Mc Lennon, Executive director, National center on Poverty Law
Eric Mittelstadt, Deputy Director, Utah Legal Services
Sheldon Roodman, Executive Director, Legal Assistance Foundation of Metropolitan Chicago
Toby Rothschild, General Counsel, Legal Aid Foundation of Los Angeles
Michele Storms, Advocacy Coordinator, Northwest Justice Project
Steve Xanthopoulos, Executive Director, West Tennessee Legal Services**